

COCOA AND MISCELLANEOUS SACCHARINE PRODUCTS

6872. Adulteration and misbranding of cocoa residue. U. S. v. 83 Cases and 59 Bags of Cocoa Residue. Default decrees of condemnation and destruction. (F. D. C. Nos. 13128, 13766. Sample Nos. 71346-F, 71353-F, 71846-F.)

LIBELS FILED: August 7 and October 5, 1944, District of Oregon.

ALLEGED SHIPMENT: Between the approximate dates of April 4 and June 6, 1944, by J. B. Robinson, from Cleveland, Ohio.

PRODUCT: 83 cases, each containing 24 1-pound packages, and 59 bags, each containing 40 pounds, of cocoa residue, at Portland, Oreg.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments, rodent hairs, and fragments resembling rodent hairs.

Misbranding of portion, 403 (a), the statement on the label, "Cocoa Residue—Contents: Cocoa Residue 7%—Cocoa Fat made from real cocoa bean fiber and shell," and the picture of a steaming cup of what purported to be cocoa were false and misleading as applied to an article containing about 70 percent of cocoa shell and less than 7 percent of fat.

Misbranding of remainder, 403 (a), the statement on the label, "7% Cocoa Fat," was false and misleading as applied to an article containing less than 7 percent of fat.

DISPOSITION: September 18 and November 11, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6873. Adulteration of dextrose sugar. U. S. v. 238 Bags of Dextrose Sugar. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 12470. Sample No. 60050-F.)

LIBEL FILED: May 31, 1944, Northern District of California.

ALLEGED SHIPMENT: On or about December 24, 1943, and February 21, 1944, from Kansas City, Mo.

PRODUCT: 238 100-pound bags of dextrose sugar at San Francisco, Calif., in possession of the Central Warehouse and Drayage Co.

The product was stored under insanitary conditions after shipment. Some of the bags had been chewed by rodents and contained rodent pellets and urine stains. Examination of samples showed that the product contained rodent excreta, rodent hairs, and brown-stained lumps with rodent hairs and pellets embedded in them.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 7, 1944. Central Warehouse and Drayage Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, to be brought into compliance with the law under the supervision of the Food and Drug Administration. The unfit portion was subsequently segregated and destroyed.

6874. Adulteration of dextrose sugar. U. S. v. 225 Bags of Dextrose Sugar. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13750. Sample No. 89823-F.)

LIBEL FILED: September 27, 1944, Western District of Tennessee.

ALLEGED SHIPMENT: On or about January 10, 1944, from Chicago, Ill.

PRODUCT: 225 bags, each containing 100 pounds, of dextrose sugar at Memphis, Tenn., in possession of the Poston Warehouse Co.

The article was stored under insanitary conditions after shipment. Some of the bags were rodent-gnawed, and rodent pellets were observed on them. Examination showed that the article contained rodent pellets and larvae.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: September 30, 1944. The Seven-Up Memphis Co., Inc., Memphis, Tenn., having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond, conditioned that the unfit portion be segregated and reconditioned by refining or recrystallization, under the supervision of the Federal Security Agency.

6875. Adulteration of sirup. U. S. v. 70 Barrels of Sirup. Consent decree of condemnation. Product ordered released under bond or upon the deposit of cash collateral. (F. D. C. No. 13219. Sample No. 39861-F.)

LIBEL FILED: August 11, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about June 23, 1944, by J. B. Robinson, Cleveland, Ohio, from Jersey City, N. J.

PRODUCT: 70 barrels of sirup at Los Angeles, Calif.

Analysis showed that the product was in an active state of fermentation.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: September 11, 1944. Colonial Molasses Co., Inc., Jersey City, N. J., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond or upon the deposit of cash collateral, to be brought into compliance with the law under the supervision of the Food and Drug Administration.

6876. Adulteration of sirup. U. S. v. 164 Cases and 14 Dozen Bottles of Syrup. Default decrees of condemnation and destruction. (F. D. C. Nos. 12873, 13381. Sample Nos. 52633-F, 75386-F.)

LIBELS FILED: July 7, 1944, District of New Hampshire; August 25, 1944, Northern District of West Virginia.

ALLEGED SHIPMENT: On or about October 12, 1943, and February 9, 1944, by the Ol' South Extract Co., from Rochester, N. Y.

PRODUCT: 164 cases, each containing 12 bottles, of sirup at Moundsville, W. Va., and 14 dozen bottles at Manchester, N. H.

This product was in a state of active fermentation.

LABEL, IN PART: (Bottles) "Ol' South Mapleflo Syrup," or "Ol' South Imitation Butter Pancake Syrup."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: September 5 and 16, 1944. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

6877. Adulteration of sirup. U. S. v. 68 Barrels of Syrup. Default decree of condemnation. Product ordered delivered to an agricultural college, for use as livestock feed. (F. D. C. No. 13389. Sample No. 64034-F.)

LIBEL FILED: August 29, 1944, Western District of South Carolina.

ALLEGED SHIPMENT: On or about March 28, 1944, by the Waverly Sugar Co., from Waverly, Iowa.

PRODUCT: 68 barrels, each containing about 50 gallons, of sirup at Shelton, S. C.

This product was undergoing active fermentation.

LABEL, IN PART: "Wasco Grain Syrup—'Malt Free'."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: October 23, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to an agricultural college, for use as livestock feed.

6878. Adulteration and misbranding of maple sirup. U. S. v. 10 Cases and 686 Bottles of Syrup. Default decrees of condemnation. Portion of product ordered delivered to charitable institutions; remainder ordered destroyed. (F. D. C. Nos. 13033, 13105. Sample Nos. 52339-F, 81841-F.)

LIBELS FILED: July 24, 1944, District of Massachusetts; August 2, 1944, District of Connecticut.

ALLEGED SHIPMENT: From on or about April 10 to July 12, 1944, by Bruno Scheidt, Inc., from New York, N. Y.

PRODUCT: 10 cases, each containing 24 6-ounce bottles, of maple sirup at Hartford, Conn., and 686 6-ounce bottles of maple sirup at Newton Center, Mass.